

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

JUL 25 2014

UNITED STATES OF AMERICA
V.

David J. Bradley, Clerk

CRIMINAL COMPLAINT

Charlie Lopez III
A206 780 604

YOB: 1994

Principal
United States

Case Number:

M-14-1424-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 23, 2014 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Luis Jesus Hernandez-Jimenez and Constantino Hernandez-Monrroy, citizens and nationals of Mexico, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 23, 2014, a concerned citizen called the Starr County Sheriff's Office and reported armed subjects being seen at 210 Eisenhower St., Apartment #6, in Rio Grande City, Texas. Deputy L. Trevino responded, and encountered a man outside, identified as Charlie Lopez Jr. Charlie Lopez Jr. told officers he did not know anything about weapons, but he did give them consent to enter apartment #6, which he claimed to reside in along with his son. Officers entered the already open door to the residence and found a closed door to a bedroom. They knocked on the door, and the man who opened the door, later identified as Charlie LOPEZ III, immediately closed the door when he saw the officers. LOPEZ eventually opened the bedroom door, and officers found an additional 5 people in the bedroom with LOPEZ. The other 5 could not provide proper documentation, and Trevino requested Border Patrol's assistance.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved to Sign
Fred Hernandez
7-25-14

Sworn to before me and subscribed in my presence,

July 25, 2014

Date

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Fred Hernandez
Signature of Complainant

Frediberto Hernandez Senior Patrol Agent
Printed Name of Complainant

at McAllen, Texas
City and State

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-1424-M

RE: Charlie Lopez III

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CONTINUATION:

When officers exited the residence, they found Charlie Lopez Jr., the father, had absconded.

Border Patrol arrived and determined all five subjects in the bedroom with LOPEZ were in the United States illegally. LOPEZ and the five undocumented aliens were transported to the Rio Grande City Border Patrol Station to investigate LOPEZ's involvement. Two material witnesses came forward implicating LOPEZ in harboring illegal aliens.

NOTE: LOPEZ has been involved as a principle in two prior smuggling cases, but was not charged.

PRINCIPAL STATEMENT:

Charlie LOPEZ III was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

LOPEZ stated he was aware the 5 people found in the apartment are illegally in the United States. LOPEZ admitted to also getting paid \$50 per person, per day that he kept at their apartment. LOPEZ stated he was holding the aliens for a smuggler known as La Pata. LOPEZ stated he has kept aliens in his apartment for up to 4 days at a time.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide a statement without the presence of an attorney.

1. Luis Jesus Hernandez-Jimenez stated he illegally crossed the Rio Grande River. He paid \$1000 (USD) to be smuggled across the river, and was to pay an additional \$2000 upon arriving in Houston, Texas. Hernandez stated, after crossing the river, the foot guide told him to run three blocks, jump a fence, and he would be picked up. After jumping the fence, he was picked up by LOPEZ and taken to the apartment where he was found by police. Hernandez told agents LOPEZ also fed him and the others while he was there. Hernandez identified LOPEZ in a photo lineup as the man who drove him to the apartment and the one who fed him while he was there.

2. Constantino Hernandez-Monrroy stated he illegally crossed the Rio Grande River. He paid \$1000 (USD) to be smuggled across the river, and was to pay an additional \$2000 upon arriving in Houston, Texas. Hernandez stated, after crossing the river, the foot guide told him after jumping three gates, he would be picked up. LOPEZ, driving a red pick-up, picked him up at the location and drove him to the apartment where he was arrested. According to Hernandez, LOPEZ fed him while he was there. Hernandez identified LOPEZ in a photo lineup as the driver of the red pick-up and the person who fed him at the apartment.